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## PART - VII

### GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

#### NOTIFICATIONS

The 22nd April, 2008.

**No.LL(B)26/2008/96.**—The following Acts passed by the Parliament and assent by the President of India and published in the Gazette of India, Extra-Ordinary Part II, Section I on the date indicated below is hereby republished for general information.

Sl. No.	Name of Act	Act No. and Year	Date of Publication in the Gazette of India
1.	The Central Educational Institutes (Reservation in Admission) Act, 2006.	Act No. 5 of 2007	4.1.2007
2.	The Prohibition of Child Marriage Act, 2006.	Act No. 6 of 2007	11.1.2007
3.	The Sports Broadcasting Signals (Mandatory Sharing with Presar Bharati) Act, 2007.	Act No. 11 of 2007	20.3.2007

#### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

(AS PASSED BY THE HOUSES OF PARLIAMENT)

#### AN ACT

*to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Fifty seventh year of the Republic of India as follows:—

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Act, 2006.
2. In this Act, unless the context otherwise requires,—

Short title.

Definitions.

(a) “academic session” means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;

(b) “annual permitted strength” means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(c) “appropriate authority” means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(d) “Central Educational Institution” means—

(i) a university established or incorporated by or under a Central Act;

(ii) an institution of national importance set up by an Act of Parliament;

(iii) an institution, declared as a deemed University under Section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government;

3 of 1956.

(iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (i) or clause (ii), or a constituent unit of an institution referred to in clause (iii);

(v) an educational institution set up by the Central Government under the Societies Registration Act, 1860;

21 of 1860.

(e) “faculty” means the faculty of a Central Educational Institution;

(f) “Minority Educational Institution” means an institution established and administered by the minorities under clause (1) of Article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004;

2 of 2005.

(g) “Other Backward Classes” means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(h) “Scheduled Castes” means the Scheduled Castes notified under Article 341 of the Constitution;

(i) “Scheduled Tribes” means the Scheduled Tribes notified under Article 342 of the Constitution;

(j) “teaching or instruction in any branch of study” means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels.

Reservation of  
seats in Central  
Educational  
Institutions.

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

(i) out of the annual permitted strength in each branch of study or faculty, fifteen percent, seats shall be reserved for the Scheduled Castes;

(ii) out of the annual permitted strength in each branch of study or faculty, seven and one-half percent, seats shall be reserved for the Scheduled Tribes;

(iii) out of the annual permitted strength in each branch of study or faculty, twenty-seven percent, seats shall be reserved for the Other Backward Classes.

4. The provision of Section 3 of this Act shall not apply to—

Act not to apply in  
certain cases..

(a) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(b) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act;

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(c) a Minority Educational Institution as defined in this Act;

(d) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

5. (1) Notwithstanding anything contained in clause (iii) of Section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

Mandatory  
increase of seats.

(2) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the

extent of reservation for the Other Backward Classes as provided in clause (iii) of Section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of Sections 3,4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

Reservation of  
seats in admis-  
sions to begin in  
calendar year,  
2007.

7. Every notification made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

Laying of  
notifications before  
Parliament.

#### THE SCHEDULE

[See section 4(b)]

Sl.No Names of the Institutions of Excellence, etc.

1. Homi Bhabha National Institute, Mumbai and its constituent units, namely:—

- (i) Bhabha Atomic Research Centre, Trombay;
- (ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;
- (iii) Raja Ramanna Centre for Advanced Technology, Indore;
- (iv) Institute for Plasma Research, Gandhinagar;
- (v) Variable Energy Cyclotron Centre, Kolkata;
- (vi) Saha Institute of Nuclear Physics, Kolkata;
- (vii) Institute of Physics, Bhubaneshwar;
- (viii) Institute of Mathematical Sciences, Chennai;
- (ix) Harish-Chandra Research Institute, Allahabad;
- (x) Tata Memorial Centre, Mumbai.

2. Tata Institute of Fundamental Research, Mumbai.

3. North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.

4. National Brain Research Centre, Manesar, Gurgaon.

5. Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.

6. Physical Research Laboratory, Ahmedabad.

7. Space Physics Laboratory, Thiruvananthapuram.

8. Indian Institute of Remote Sensing, Dehradun.

**THE PROHIBITION OF CHILD MARRIAGE ACT, 2006.****AN  
ACT,**

*to provide for the prohibition of solemnisation of child marriages and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Fifty Seventh year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Child Marriage Act, 2006.

Short title, extent  
and  
commencement.

(2) It extends to the whole of India except the State of Jammu and Kashmir; and it applies also to all citizens of India without and beyond India:

Provided that nothing contained in this Act shall apply to the Renoncants of the Union Territory of Pondicherry.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “child” means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;

(b) “child marriage” means a marriage to which either of the contracting parties is a child;

(c) “contracting party”, in relation to a marriage, means either of the parties whose marriage is or is about to be thereby solemnised;

(d) “Child Marriage Prohibition Officer” includes the Child Marriage Prohibition Officer appointed under sub-section (1) of Section 16;

(e) “district court” means, in any area for which a Family Court established under Section 3 of the Family Courts Act, 1984 exists, such Family Court, and in any area for which there is no Family Court but a city civil court exists, that court and in any other area, the principal civil court of original jurisdiction and includes any other civil court which may be specified by the State Government, by notification in the Official Gazette, as having jurisdiction in respect of the matters dealt with in this Act;

66 of 1984.

(f) “minor” means a person who, under the provisions of the Majority Act, 1875 is to be deemed not to have attained his majority.

9 of 1875.

3. (1) Every child marriage, whether solemnised before or after the commencement of this Act, shall be voidable at the option of the contracting party who was a child at the time of the marriage:

Child marriages to be voidable at the option of contracting party being a child.

Provided that a petition for annulling a child marriage by a decree of nullity may be filed in the district court only by a contracting party to the marriage who was a child at the time of the marriage.

(2) If at the time of filing a petition, the petitioner is a minor, the petition may be filed through his or her guardian or next friend along with the Child Marriage Prohibition Officer.

(3) The petition under this section may be filed at any time but before the child filing the petition completes two years of attaining majority.

(4) While granting a decree of nullity under this section, the district court shall make an order directing both the parties to the marriage and their parents or their guardians to return to the other party, his or her parents or guardian, as the case may be, the money, valuables, ornaments and other gifts received on the occasion of the marriage by them from the other side, or an amount equal to the value of such valuables, ornaments, other gifts and money:

Provided that no order under this section shall be passed unless the concerned parties have been given notices to appear before the district court and show cause why such order should not be passed.

Provision for maintenance and residence to female contracting party to child marriage.

4. (1) While granting a decree under Section 3, the district court may also make an interim or final order directing the male contracting party to the child marriage, and in case the male contracting party to such marriage is a minor, his parent or guardian to pay maintenance to the female contracting party to the marriage until her remarriage.

(2) The quantum of maintenance payable shall be determined by the district court having regard to the needs of the child, the lifestyle enjoyed by such child during her marriage and the means of income of the paying party.

(3) The amount of maintenance may be directed to be paid monthly or in lump sum.

(4) In case the party making the petition under Section 3 is the female contracting party, the district court may also make a suitable order as to her residence until her remarriage.

Custody and maintenance of children of child marriages.

5. (1) Where there are children born of the child marriage, the district court shall make an appropriate order for the custody of such children.

(2) While making an order for the custody of a child under this section, the welfare and best interests of the child shall be the paramount consideration to be given by the district court.

(3) An order for custody of a child may also include appropriate directions for giving to the other party access to the child in such a manner as may best serve the interests of the child, and such other orders as the district court may, in the interest of the child, deem proper.

(4) The district court may also make an appropriate order for providing maintenance to the child by a party to the marriage or their parents or guardians.

Legitimacy of children born of child marriages.

6. Notwithstanding that a child marriage has been annulled by a decree of nullity under Section 3, every child begotten or conceived of such marriage before the decree is made, whether born before or after the commencement of this Act, shall be deemed to be a legitimate child for all purposes.

**7.** The district court shall have the power to add to, modify or revoke any order made under Section 4 or Section 5 and if there is any change in the circumstances at any time during the pendency of the petition and even after the final disposal of the petition.

Power of district court to modify orders issued under Section 4 or Section 5.

**8.** For the purpose of grant of reliefs under Sections 3, 4 and 5, the district court having jurisdiction shall include the district court having jurisdiction over the place where the defendant or the child resides, or where the marriage was solemnised or where the parties last resided together or the petitioner is residing on the date of presentation of the petition.

Court to which petition should be made.

**9.** Whoever, being a male adult above eighteen years of age, contracts a child marriage shall be punishable with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both.

Punishment for male adult marrying a child.

**10.** Whoever performs, conducts, directs or abets any child marriage shall be punishable with rigorous imprisonment which may extend to two years and shall be liable to fine which may extend to one lakh rupees unless he proves that he had reasons to believe that the marriage was not a child marriage.

Punishment for solemnising a child marriage.

**11.** (1) Where a child contracts a child marriage, any person having charge of the child, whether as parent or guardian or any other person or in any other capacity, lawful or unlawful, including any member of an organisation or association of persons who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, including attending or participating in a child marriage, shall be punishable with rigorous imprisonment which may extend to two years and shall also be liable to fine which may extend up to one lakh rupees:

Punishment for promoting or permitting solemnisation of child marriages.

Provided that no woman shall be punishable with imprisonment.

(2) For the purposes of this section, it shall be presumed, unless and until the contrary is proved, that where a minor child has contracted a marriage, the person having charge of such minor child has negligently failed to prevent the marriage from being solemnised.

**12.** Where a child, being a minor—

Marriage of a minor child to be void in certain circumstances

(a) is taken or enticed out of the keeping of the lawful guardian; or

(b) by force compelled, or by any deceitful means induced to go from any place: or

(c) is sold for the purpose of marriage; and made to go through a form of marriage or if the minor is married after which the minor is sold or trafficked or used for immoral purposes, such marriage shall be null and void.

Power of court to issue injunction prohibiting child marriages.

**13.** (1) Notwithstanding anything to the contrary contained in this Act, if, on an application of the Child Marriage Prohibition Officer or on receipt of information through a complaint or otherwise from any person, a Judicial Magistrate of the first class or a Metropolitan Magistrate is satisfied that a child marriage in contravention of this Act has been arranged or is about to be solemnised, such Magistrate shall issue an injunction against any person including a member of an organisation or an association of persons prohibiting such marriage.



(2) A complaint under sub-section (1) may be made by any person having personal knowledge or reason to believe, and a non-governmental-organisation having reasonable information, relating to the likelihood of taking place of solemnisation of a child marriage or child marriages.

(3) The Court of the Judicial Magistrate of the first class or the Metropolitan Magistrate may also take *suo motu* cognizance on the basis of any reliable report or information.

(4) For the purposes of preventing solemnisation of mass child marriages on certain days such as *Akshaya Trutiya*, the District Magistrate shall be deemed to be the Child Marriage Prohibition Officer with all powers as are conferred on a Child Marriage Prohibition Officer by or under this Act.

(5) The District Magistrate shall, also have additional powers to stop or prevent solemnisation of child marriages and for this purpose, he may take all appropriate measures and use the minimum force required

(6) No injunction under sub-section (1) shall be issued against any person or member of any organisation or association of persons unless the Court has previously given notice to such person, members of the organisation or association of persons, as the case may be, and has offered him or them an opportunity to show cause against the issue of the injunction:

Provided that in the case of any urgency, the Court shall have the power to issue an interim injunction without giving any notice under this section.

(7) An injunction issued under sub-section (1) may be confirmed or vacated after giving notice and hearing the party against whom the injunction was issued.

(8) The Court may either on its own motion or on the application of any person aggrieved, rescind or alter an injunction issued under sub-section (1).

(9) Where an application is received under sub-section (1) the Court shall afford the applicant an early opportunity of appearing before it either in person or by an advocate and if the Court, after hearing the applicant rejects the application wholly or in part, it shall record in writing its reasons for so doing.

(10) Whoever knowing that an injunction has been issued under sub-section (1) against him disobeys such injunction shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to one lakh rupees or with both:

Provided that no woman shall be punishable with imprisonment.

Child marriages in contravention of injunction orders to be void.

Offences to be cognizable and non-bailable.

Child marriages Prohibition Officers.

**14.** Any child marriage solemnised in contravention of an injunction order issued under Section 13, whether interim or final, shall be void *ab initio*.

**15.** Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this Act shall be cognizable and non-bailable.

**16. (1)** The State Government shall, by notification in the Official Gazette, appoint for the whole State, or such part thereof as may be specified in that



notification, an officer or officers to be known as the Child Marriage Prohibition Officer having jurisdiction over the area or areas specified in the notification.

(2) The State Government may also request a respectable member of the locality with a record of social service or an officer of the Gram Panchayat or Municipality or an officer of the Government or any public sector undertaking or an office bearer of any non-governmental organisation to assist the Child Marriage Prohibition Officer and such member, officer or office bearer, as the case may be, shall be bound to act accordingly.

(3) It shall be the duty of the Child Marriage Prohibition Officer –

(a) to prevent solemnisation of child marriages by taking such action as he may deem fit.

(b) to collect evidence for the effective prosecution of persons contravening the provisions of this Act.

(c) to advise either individual cases or counsel the residents of the locality generally not to indulge in promoting, helping, aiding or allowing the solemnisation of child marriages.

(d) to create awareness of the evil which results from child marriages;

(e) to sensitize the community on the issue of child marriages:

(f) to furnish such periodical returns and statistics as the State Government may direct: and

(g) to discharge such other functions and duties as may be assigned to him by the State Government.

(4) The State Government may, by notification in the Official Gazette, subject to such conditions and limitations, invest the Child Marriage Prohibition Officer with such powers of a police officer as may be specified in the notification and the Child Marriage Prohibition Officer shall exercise such powers subject to such conditions and limitations, as may be specified in the notification.

(5) The Child Marriage Prohibition Officer shall have the power to move the Court for an order under Sections 4, 5 and 13 and along with the child under Section 3,

**17.** The Child Marriage Prohibition Officers shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

**18.** No suit, prosecution or other legal proceedings shall lie against the Child Marriage Prohibition Officer in respect of anything in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

**19.** (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall, as soon as may be after it is made, be laid before the State Legislature.

**20.** In the Hindu Marriage Act, 1955, in Section 18, for clause (a), the following clause shall be substituted, namely:—

Child marriages  
Prohibition Officers  
to be public  
servants.

Protection of action  
taken in good faith

Power of State  
Government to  
make rules.

Amendment of Act  
No. 25 of 1995.

“(a) in the case of contravention of the condition specified in clause (iii) of Section 5, with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees, or with both”.

Repeal and savings.

**21.** (1) The Child Marriage Restraint Act, 1929 is hereby repealed.

19 of 1929.

(2) Notwithstanding such repeal, all cases and other proceedings pending or continued under the said Act at the commencement of this Act shall be continued and disposed of in accordance with the provisions of the repealed Act, as if this Act had not been passed.

## THE SPORTS BROADCASTING SIGNALS (MANDATORY SHARING WITH PRASAR BHARATI ACT, 2007

### AN ACT

*to provide access to the largest number of listeners and viewers, on a free to air basis, of sporting events of national importance through mandatory sharing of sports broadcasting signals with Prasar Bharati and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Fifty Eight year of the Republic of India as follows:—

### CHAPTER I

#### PRILIMINARY

**1.** (1) This Act may be called the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007.

Short title,  
extent and  
commencement.

(2) It extends to the whole of India.

(3) Save as otherwise provided, it shall be deemed to have come into force on the 11th day of November, 2005.

Definitions.

**2.** (1) In this Act, unless the context otherwise requires,—

(a) “broadcaster” means any person who provides a content broadcasting service and includes a broadcasting network service provider when he manages and operates his own television or radio channel service;

(b) “broadcasting” means assembling and programming any form of communication content, like signs, signals, writing, pictures, images and sounds, and either placing it in the electronic form on electro-magnetic waves on specified frequencies and transmitting it through space or cables to make it continuously available on the carrier waves, or continuously streaming it in digital data form on the computer networks, so as to be accessible to single or multiple users through receiving devices either directly or indirectly; and all its grammatical variations and cognate expressions;

(c) “broadcasting service” means assembling, programming and placing communication content in electronic form on the electro-magnetic waves on specified frequencies and transmitting it continuously through broadcasting network or networks so as to enable all or any of the multiple users to

access it by connecting their receiver devices to their respective broadcasting networks and includes the content broadcasting services and the broadcasting network services;

(d) "broadcasting networks service" means a service, which provides a network of infrastructure of cables or transmitting devices for carrying broadcasting content in electronic form on specified frequencies by means of guided or unguided electro-magnetic waves to multiple users, and includes the management and operation of any of the following:

- (i) Teleport/Hub/Earth Station,
- (ii) Direct-to-Home (DTH) Broadcasting Network,
- (iii) Multi-system Cable Television Network,
- (iv) Local Cable Television Network,
- (v) Satellite Radio Broadcasting Network,
- (vi) any other network service as may be prescribed by the Central Government;

(e) "cable television channel service" means the assembly, programming and transmission by cables of any broadcasting television content on a given set of frequencies to multiple subscribers;

(f) "cable television network" means any system consisting of closed transmission paths and associated signal generation, control and distribution equipment, designed to receive and re-transmit television channels or programmes for reception by multiple subscribers;

(g) "community radio service" means terrestrial radio broadcasting intended and restricted only to a specific community and within specified territory;

(h) "content" means any sound, text, data, picture (still or moving), other audio-visual representation, signal or intelligence of any nature or any combination thereof which is capable of being created, processed, stored, retrieved or communicated electronically;

(i) "content broadcasting service" means the assembling, programming and placing content in electronic form and transmitting or retransmitting the same on electro-magnetic waves on specified frequencies, on a broadcasting network so as to make it available for access by multiple users by connecting their receiving devices to the network, and includes the management and operation of any of the following:

- (i) terrestrial television service,
- (ii) terrestrial radio service,
- (iii) satellite television service,

(iv) satellite radio service,

(v) cable television channel service,

(vi) community radio service,

(vii) any other content broadcasting services as may be prescribed by the Central Government;

(j) "Direct-to-Home (DTH) broadcasting service" means a service for multi-channel distribution of programmes direct to a subscriber's premises without passing through an intermediary such as a cable operator by uplinking to a satellite system;

(k) "Guidelines" means the Guidelines issued under Section 5;

(l) "multi-system cable television network" means a system for multi-channel downlinking and distribution of television programmes by a land-based transmission system using wired cable or wireless cable or a combination of both for simultaneous reception either by multiple subscribers directly or through one or more local cable operators;

25 of 1990.

(m) "Prasar Bharati" means the Corporation known as the Prasar Bharati (Broadcasting Corporation of India) established under sub-section (1) of Section 3 of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990;

(n) "prescribed" means prescribed by rules made under this Act;

(o) "satellite television service" means a television broadcasting service provided by using a satellite, and received with or without the help of a local delivery system but does not include Direct-to-Home delivery service;

(p) "satellite radio service" means a radio broadcasting service provided by using a satellite and directly receivable through receiver sets by multiple subscribers in India;

(q) "service provider" means provider of a broadcasting service;

(r) "specified" means specified under the Guidelines issued under Section 5;

(s) "sporting events of national importance" means such national or international sporting events, held in India or abroad, as may be notified by the Central Government in the Official Gazette to be of national importance;

(t) "terrestrial television service" means a television broadcasting service provided over the air by using a land-based transmitter and directly received through receiver sets by the public;

(u) "terrestrial radio service" means a radio broadcasting service provided over the air by using a land-based transmitter and directly received through receiver sets by the public.

7 of 1995.  
24 of 1997.  
13 of 1885.  
17 of 1933.

(2) Words and expressions used and not defined in this Act and defined in the Cable Television Networks (Regulation) Act, 1995, the Telecom Regulatory Authority of India Act, 1997, the Indian Telegraph Act, 1885, the Indian Wireless Telegraphy Act, 1933 shall have the meanings respectively assigned to them in those Acts.

## CHAPTER II

### MANDATORY SHARING OF SPORTS BROADCASTING SIGNALS WITH PRASAR BHARATI

3. (1) No content rights owner or holder and no television or radio broadcasting service provider shall carry a live television broadcast on any cable or Direct-to-Home network or radio commentary broadcast in India of sporting events of national importance, unless it simultaneously shares the live broadcasting signal, without its advertisements, with the Prasar Bharati to enable them to re-transmit the same on its terrestrial networks and Direct-to-Home networks in such manner and on such terms and conditions as may be specified.

Mandatory sharing of certain sports broadcasting signals.

(2) The terms and conditions under sub-section (1) shall also provide that the advertisement revenue sharing between the content rights owner or holder and the Prasar Bharati shall be in the ratio of not less than 75:25 in case of television coverage and 50:50 in case of radio coverage.

(3) The Central Government may specify a percentage of the revenue received by the Prasar Bharati under sub-section (2), which shall be utilised by the Prasar Bharati for broadcasting other sporting events.

Penalties.

4. The Central Government may specify penalties to be imposed, including suspension or revocation of licence, permission or registration, for violation of various terms and conditions as may be specified under Section 3, subject to the condition that amount of a pecuniary penalty shall not exceed one crore rupees:

Provided that no penalty shall be imposed without giving a reasonable opportunity to the service provider:

Ord. 4 of 2007.

Provided further that no act or omission on the part of any person after the 11th November, 2005 and before the date of promulgation of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Ordinance, 2007 shall be subjected to penalties.

## CHAPTER III

### POWERS OF THE CENTRAL GOVERNMENT TO ISSUE GUIDELINES

5. The Central Government shall take all such measures, as it deems fit or expedient, by way of issuing Guidelines for mandatory sharing of broadcasting signals with Prasar Bharati relating to sporting events of national importance:

Power of the Central Government to issue Guidelines.

Ord. 4 of 2007.

Provided that the Guidelines issued before the promulgation of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Ordinance, 2007 shall be deemed to have been issued validly under the provisions of this section.

## CHAPTER IV

## MISCELLANEOUS

Validation.

**6.** (1) The provisions of the Guidelines issued by the Central Government for Downlinking of Television Channels on the 11th November, 2005 and for Uplinking from India on the 2nd December, 2005 for mandatory sharing of the sports broadcasting signals shall be deemed to be valid as if they have been issued under this Act.

(2) Notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority, any action taken by the Central Government or the Prasar Bharati in pursuance of the Guidelines referred to in sub-section (1) shall be deemed to be and to have always been for all purposes in accordance with the law, as if the Guidelines had been validly in force at all material times and notwithstanding anything as aforesaid and without prejudice to the generality of the foregoing provisions, no legal proceeding shall be maintained or continued in any court for the enforcement of any direction given by any court or any decree or order which would not have been so given had the Guidelines been validly in force at all material times.

Power of the  
Central Government  
to make rules.

**7.** The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

Rules and  
Guidelines to be laid  
before Parliament.

**8.** Every rule and Guidelines made and issued, as the case may be, under this Act shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or Guidelines, or both Houses agree that the rule or Guidelines should not be made, the rule or Guidelines shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or Guidelines.

Saving.

**9.** The relevant provisions under the Guidelines for Downlinking of Television Channels issued on the 11th November, 2005 and the Guidelines for Uplinking from India issued on the 2nd December, 2005 for mandatory sharing of sports broadcasting signals with Prasar Bharati, shall continue to remain in force till fresh Guidelines are issued under this Act.

Repeal and  
saving.

**10.** (1) The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Ordinance, 2007 is hereby repealed.

Ord. 4 of 2007.

(2) Notwithstanding the repeal of the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Ordinance, 2007, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

Ord. 4 of 2007.

**E.M. DONN,**  
Under Secretary to the Govt. of Meghalaya  
Law (B) Department.